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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/605,185

06/28/2000

Benjamin C. Ford

5666

7590

07/29/2004

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EXAMINER

WU, JINGGE

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 07/29/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/605,185

Applicant(s)

FORD, BENJAMIN C.

Examiner

Jingge Wu

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) 1-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 15-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Response to Amendment***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on May 3, 2004 has been entered. Applicants' amendment, filed on May 3, 2004 has been entered and made of record. An action on the RCE follows.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 15-40, 43 and 46 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6687414 to Edgar.

As to claim 15, Edgar discloses a method for correcting image information associated a plurality of information channels comprising (abstract):

obtaining image information from a first information channel (Fig. 17, col. 22 lines 38-41, note that getting one image information from first channel is inherent if only subset of image information from channels to be transformed);

obtaining image information form at least one additional information channel (Fig.. 17), wherein at least a portion of the information from the at least one additional information channel includes information associated with the information obtained from the first channel (col. 22, lines 14-35, note that each signal in a channel is cross-correlated to others);

transforming only the image information obtained from the at least one additional information channel to obtain transformed image information associated with the first channel (Fig. 17, col. 22 lines 38-50); and

combining (inherent to the matrix operation) at least a portion of the transformed image information with at least a portion of the information from the first information channel to obtain corrected image information associated with the first information channel (Fig. 17 col. 22, line 36-col. 23 line65, col. 28 line 51-col. 29 line 22).

As to claim 16, Edgar further discloses filtering the image information obtained from the at least on additional channel to minimize noise (Fig. 17, 1722, col. 26 lines 8-26).

As to claim 17, Edgar further discloses a color correction matrix (col. 26 lines 28-55).

As to claim 18, Edgar further discloses a photographic image (col. 22, line 59).

As to claim 19, Edgar further discloses color channels (col. 22 lines 28-30).

As to claim 20, Edgar further discloses transforming the first image information obtaining from first information channel and combining the transformed information with

at least information from on additional channel (Fig17. col. 22, line 36-col. 23 line65, col. 28 line 51-col. 29 line 22).

As to claims 21 and 22, Edgar further discloses no substantially altering the information (filtering the noise is substantially unfaltering the information) before combining the information (Fig. 17, col. 26 lines 8-26, note that filtering conducted for only attenuating noise).

As to claims 23 and 24, Edgar further discloses scanning a photographic image (Fig. 1, see scanner 30).

Claims 25-40, 43, 46 are the corresponding a digital file tangibly embodied in a computer readable medium and system claims to claims 15-24 respectively. The discussion are addressed with regard to claims 15-24.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edgar.

As to claim 44-45, Edgar does not expressly mention copy machine and fax.

Examiner takes Official Notice that those features are notoriously well known in the art.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the scheme of Edgar in either color copy machine and color fax in order to achieve better color image representations.

***Contact Information***

Any inquiry concerning this communication or earlier communications should be directed to Jingge Wu whose telephone number is (703) 308-9588. He can normally be reached Monday through Thursday from 8:00 am to 5:30 pm. The examiner can be also reached on second alternate Fridays.

Any inquiry of a general nature or relating to the status of this application should be directed to TC customer service whose telephone number is (703) 306-0377.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Amelia Au, can be reached at (703) 308-6604.

The Working Group Fax number is (703) 872-9314.

**Jingge Wu**

Primary Patent Examiner

